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Toshihiro Kujirai

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ANTONELLI, TERRY, STOUT & KRAUS, LLP  
1300 NORTH SEVENTEENTH STREET  
SUITE 1800  
ARLINGTON, VA 22209-3873

EXAMINER

OPSASNICK, MICHAEL N

ART UNIT

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2626

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

The abstract of the disclosure is objected to because the abstract does not include that which is new in the art to which the invention pertains. Correction is required. See MPEP § 608.01(b).

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2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The following title is suggested:  
Speech Command Management Dependent Upon Application Software Status.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Schmid et al (7139709).

As per claim 1,16,18, Schmid et al (7139709) teaches control of speech interaction application via a middleware component (Fig. 2), wherein multiple speak commands are present in multiple applications (col. 10 line 1). The middleware layer has the capability of controlling the operation states of recognition, including timing issues (such as priority as to which application has control, etc. – col. 10 lines 2-7). Furthermore, Schmid et al (7139709) teaches multicommand, multiapplication capability thru the SAPI server (Fig. 16), wherein one application may be a command/control

application and the other a speech recognition application. The commands give control the application as well.

As per claim 2, Schmid et al (7139709) teaches global as well as localized application specific commands (col. 16 lines 23-37).

As per claims 3-5,17, Schmid et al (7139709) teaches specific grammars for the particular application that has control (i.e., the currently interacting application has control, and therefore, first priority to that specific grammar – col. 15 line 60 to col. 16 line 9). In other words, Schmid et al (7139709) teaches application status dependent control of the SAPI.

As per claims 6-9, Schmid et al (7139709) teaches global as well as localized application specific commands (col. 16 lines 23-37), wherein based upon the priority and matching of the commands, choosing the appropriate application (col. 15 line 60 to col. 16 line 9).

As per claims 10-15, Schmid et al (7139709) teaches based upon priority, application state, and recognition results, forwarding/controlling the associated application (Fig. 7,8, and the steps of Fig. 17; col. 16 lines 10-60).

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5. Claims 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hirayama et al (6708150).

As per claims 19,20, Hirayama et al (6708150) teaches route guides and a vehicle that uses speech recognition and display (abstract, col. 1 lines 55-65; col. 2 lines 1-10), along with a management unit for managing global commands including the situation of unrecognized commands (col. 12 lines 40-65; and col. 13 line 50 – col. 14 line9 – examiner notes the use of commands for specific entries, and the length dependency of the utterance vs the specific category – col. 16 lines 10-54). Furthermore, the valid word lists are determined by the current status of the system – either searching for map information, displaying information, or looking up addresses (col. 17 lines 15-35).

### ***Response to Arguments***

6. Applicant's arguments filed 2/6/08 have been fully considered but they are not persuasive. As per applicants allegations that the Schmid et al reference does not explicitly teach command management based upon the operation states of each applications, examiner respectfully disagrees and argues that the disclosed global and local commands of Schmid (col. 16 lines 23-37) teach that there are specialized commands (local) for such applications that are active, yet generalized commands (global) for any application to access; the Hirayama reference, as well, discusses global commands that are available for multiple menus/applications, with a set of localized commands that are available when that particular piece of software is active.

***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see related art listed on the PTO-892 form.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Richemond Dorvil, can be reached at (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Michael N. Opsasnick/  
Primary Examiner, Art Unit 2626  
3/28/08